

SENATE BILL 197

By Lundberg

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to class sizes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-1-104, is amended by deleting the section and substituting instead the following:

(a) Each LEA and public charter school shall establish the maximum class size for each grade level, class, or subject area of instruction provided by a school under its control and jurisdiction. Maximum class sizes established by an LEA or public charter school must allow a school under its control and jurisdiction to comply with all applicable state and local building, sanitation, utility, and fire code requirements.

(b) The state board of education, in consultation with the department of education, shall develop guidance for LEAs and public charter schools in establishing the maximum class size for a grade level, class, or subject area of instruction, including guidance for establishing class size standards and case load standards for instructional personnel and teachers primarily responsible for the development, implementation, and updating of a student's individualized education plan (IEP), and for classrooms that include students with disabilities and students eligible for special education services.

(c) Each LEA and public charter school shall establish maximum class sizes that allow a school under the LEA's or charter school's control and jurisdiction to comply with the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. §§ 1400 et seq.).

SECTION 2. Tennessee Code Annotated, Section 49-2-128(a), is amended by deleting the second sentence of the subsection.

SECTION 3. Tennessee Code Annotated, Section 49-6-104(d), is amended by deleting subdivision (1) and substituting instead the following:

(1) Comply with the maximum class size for pre-kindergarten classes established by the LEA pursuant to § 49-1-104;

SECTION 4. Tennessee Code Annotated, Section 49-6-201(b)(2), is amended by deleting the language "permitted by § 49-1-104" and substituting instead the language "permitted by the LEA, pursuant to § 49-1-104,".

SECTION 5. Tennessee Code Annotated, Section 49-6-1503(d), is amended by deleting subdivision (2).

SECTION 6. Tennessee Code Annotated, Section 49-18-105(a)(8), is amended by deleting the language "established in § 49-1-104" and substituting instead the language "established by the home LEA".

SECTION 7. This act takes effect July 1, 2023, the public welfare requiring it, and applies to the 2023-2024 school year and each school year thereafter.